

DECLARATION AND POWER OF ATTORNEY

146.1327

Each below-named inventor hereby declares and says that:

My residence, post office address and citizenship are as stated below beneath my name; I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention titled: 2-HALOGENATED DERIVATIVES OF 5-O-DESOSAMINYL-ERYTHRONOLIDE A, -THEIR PREPARATION PROCESS AND THEIR ANTIBIOTIC USE

which is described and claimed in the attached application, or Serial No. _____ filed _____ as amended to date; I have reviewed and understand the contents of the specification including the claims with all the above-mentioned amendments thereto, if any. I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with 37 CFR 1.56; and, if the benefit of 35 U.S.C. 120 is claimed below, as to subject matter of the claims not disclosed in any prior U.S. application in accordance with 35 U.S.C. 112, I acknowledge my duty to disclose material information which became known to me between the filing date of said prior U.S. application and this application and is material to the patentability of this application as defined in 37 CFR 1.56; the benefit of 35 U.S.C. 119(e), or 120 is claimed for

SERIAL NO

FILED

STATUS

I claim the foreign priority benefits under 35 U.S.C. 119 of foreign application(s) for patent or inventor's certificate(s) filed less than 12 months prior to the filing of the application, or less than 12 months before the application(s) for which the above benefit of 35 U.S.C. 120 is claimed as follows:

COUNTRY

SERIAL NO.

FILING DATE

France

98 12937

October 15, 1998

and I have identified any foreign application(s) for patent or inventor's certificate(s) having a filing date before the earliest of the application(s) for which priority is claimed, or the present application, as follows:

COUNTRY

SERIAL NO.

FILING DATE

BIERMAN, MUSERLIAN and LUCAS LLP, Customer No. 20311, Reg. No. 18,818; JORDAN B. BIERMAN, Reg. No. 18,629; CHARLES A. MUSERLIAN, Reg. No. 19,683; and DONALD C. LUCAS, Reg. No. 31,275; all of 600 Third Avenue, New York, New York 10016, Telephone (212) 661-8000, are hereby

It is declared by undersigned that all statements made herein of undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S. Code 1001, and that such willful false statements may jeopardize the validity of this application or any other patent issuing thereon.

RESIDENCE AND POST OFFICE ADDRESS

[illegible]